

Message Text

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PAGE 01 STATE 170632
ORIGIN ARA-10

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DRAFTED BY ARA/CEN:DCJOHNSON:MKF
APPROVED BY ARA:TATODMAN
ARA/CEN:WMATTHEWS
L:MFELDMAN

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FM SECSTATE WASHDC
TO AMEMBASSY SAN JOSE PRIORITY

C O N F I D E N T I A L STATE 170632

STADIS/////////////////////////////////
LIMDIS

E.O. 11652: GDS

TAGS: EFIN, CS

SUBJECT: VESCO; MEETING WITH JUSTICE DEPARTMENT OFFICIALS

REF: SAN JOSE 3134

1. DEPT. GREATLY APPRECIATES EMBASSY'S TIMELY AND VALUABLE COMMENTS ON THE CIVILETTI LETTER. ASSISTANT SECRETARY AND LEGAL ADVISER DREW HEAVILY ON THEM DURING JULY 19 MEETING WITH ASSISTANT ATTORNEY GENERAL CIVILETTI.

2. CIVILETTI WAS NOT WILLING TO LINK AN EXPULSION REQUEST TO A CONTINGENT EXTRADITION REQUEST. THE ATTORNEY GENERAL WAS "FIRM" AGAINST EXTRADITION FROM A STRICTLY PROSECUTORIAL POINT OF VIEW.

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3. WHEN IT WAS POINTED OUT THAT THE COSTA RICANS MIGHT REJECT AN EXPULSION REQUEST OUT OF HAND, CIVILETTI STATED THAT THE ATTORNEY GENERAL'S VIEW WOULD BE THAT THE EXTRADITION STILL WOULD NOT BE WORTH THE EFFORT AND EXPENSE. THE EXPULSION REQUEST WOULD AT LEAST HAVE ESTABLISHED OUR GOOD FAITH.

4. IT WAS POINTED OUT THAT THE EMBASSY SUGGESTED TAKING NO ACTION AT THE PRESENT TIME. THE DEPUTY LEGAL ADVISER

SUGGESTED THAT WE MIGHT WISH TO ASK ORTIZ TO GIVE US A STUDY ON THE LEGAL PROBLEMS AND PROSPECTS OF A U.S. EXPULSION REQUEST.

5. CIVILETTI IMMEDIATELY AGREED TO THIS COURSE OF ACTION. THE JUSTICE DEPARTMENT IN WASHINGTON WOULD WORK WITH FISKE AND THE OFFICE OF THE LEGAL ADVISER TO FORMULATE QUESTIONS FOR ORTIZ. ADDITIONAL ACTION ON THE EXPULSION REQUEST WOULD HAVE TO AWAIT ORTIZ' REPORT.

6. EMBASSY MAY, AT ITS DISCRETION, INFORM ORTIZ THAT WE WILL BE ASKING HIM TO STUDY THE EXPULSION ISSUE. NO ACTION SHOULD BE TAKEN BY HIM PENDING RECEIPT OF THE JUSTICE DEPARTMENT QUESTIONS, WHICH WILL BE POUCHED TO EMBASSY AS SOON AS AVAILABLE. VANCE

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Sent Date: 21-Jul-1977 12:00:00 am
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Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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